

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RALPH COUNTRYMAN,

Plaintiffs,

v.

JAKE VIALPANDO, LORELI LeBARON,
And DIANNE MOYLE,

Defendants.

Case No. 3:22-CV-00008-RCJ-CSD

ORDER

Plaintiff filed this case raising constitutional claims under 42 U.S.C. § 1983 and is proceeding pro se. He attempted service of Defendants through certified mail. Defendants moved for dismissal under Fed. R. Civ. P. 12(b)(5) for failure to properly effectuate service. (ECF No. 8). In response, Plaintiff filed a one-page filing titled, “Request for Waiver of Service and Motion to Stay Summary Judgment.” (ECF No. 11). The Court denied both motions and ordered Plaintiff to properly serve Defendants within 45 days of July 26, 2022. (ECF No. 14). Plaintiff only served Defendant Loreli LeBaron during that extension.

Thereafter, Defendants Jake Vialpando and Dianne Moyle moved to dismiss this Action for failure of service. (ECF Nos. 16, 23). Plaintiff did not respond to these motions, but filed a

request to amend the Complaint. (ECF No. 32). Because Plaintiff failed to properly serve Defendants Jake Vialpando and Dianne Moyle, the Court grants their motions to dismiss. (ECF No. 16, 23). Further, Plaintiff did not provide any cause to amend the Complaint. (ECF No. 32). He simply provided a new complaint. (*Id.*) Accordingly, Plaintiff's Motion to Amend is denied. (*Id.*) The case shall continue against Defendant Loreli LeBaron.

CONCLUSION

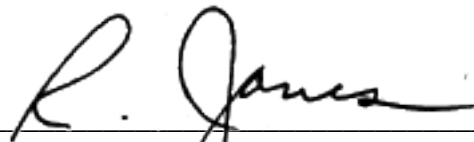
IT IS HEREBY ORDERED that Defendant Jake Vialpando' Motion to Dismiss is **GRANTED**. (ECF No. 23).

IT IS FURTHER ORDERED that Defendant Dianne Moyle' Motion to Dismiss is **GRANTED**. (ECF No. 16).

IT IS FURTHER ORDERED that Plaintiff's Motion to Amend is **DENIED**. (ECF No. 32).

IT IS SO ORDERED.

Dated this 14th day of August 2023.



ROBERT C. JONES
United States District Judge